

EXHIBIT A

**IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO
CIVIL DIVISION**

REINER WALKER

1677 Big Bear Drive
Centerville, Ohio 45458

Plaintiff,

vs.

BED BATH & BEYOND INC.

c/o Corporation Service Company
50 West Broad Street, Suite 1330
Columbus, Ohio 43215

and

JANE/JOHN DOE(S AND

XYZ CORPORATION

Address Unknown

and

OHIO DEPARTMENT OF MEDICAID

c/o Joseph McCandlish, Esq.
150 E. Gay Street, 21st Floor
Columbus, Ohio 43215

Defendants.

CASE NO.:

JUDGE

**PLAINTIFF'S COMPLAINT FOR
PERSONAL INJURY W/JURY
DEMAND ENDORSED HEREIN**

Now comes Plaintiff REINER WALKER, (hereinafter referred to as "Plaintiff"), by and through Counsel, to set forth the following averments for his Complaint for personal injury:

PARTIES AND VENUE

1. Plaintiff Reiner Walker is and was a resident of the City of Centerville, Montgomery County, Ohio, during all relevant times herein.

2. Upon information and belief, Defendant Bed Bath & Beyond Inc. (hereafter referred to as “Bed Bath & Beyond,”) was, at all times relevant, a company registered with the Ohio Secretary of State to do business within the State of Ohio, with its statutory agent and address listed as: Corporation Service Company, 50 West Broad Street, Suite 1330 Columbus, Ohio 43215.
3. Plaintiff is unaware of the true name, identity and capacity, whether individual, associate, or otherwise, of the Defendant sued herein as John/Jane Doe and XYZ Corporation, and will amend this Complaint so as to more specifically set forth the name and identity of the Doe Defendants when they have been determined.
4. Upon information and belief, Plaintiff alleges that the aforementioned Defendants and XYZ Corporation are legally responsible for the acts and events complained herein, and that Plaintiff’s losses and damages were proximately caused by the negligence, fault, wrongful acts/and or legal responsibility of the Defendants.

JURISDICTION AND VENUE

5. Plaintiff’s damages exceed the minimum jurisdictional limits of this court
6. Any and all actions or inactions giving rise to the cause of action as stated herein did occur in Montgomery County, OH, and there is not complete diversity of citizenship among the parties.

COUNT I

7. On or about March 3,2019, Plaintiff Reiner Walker was an invitee to the Bed Bath & Beyond located at 2720 Towne Drive, in the City of Beavercreek, Montgomery Country, Ohio, when, while shopping, Plaintiff stopped to look at a display case which subsequently collapsed, causing bodily injury.
8. Upon information and belief, Defendant Bed Bath & Beyond is the owner and/or has a majority interest in the subject property.
9. As an invitee, Defendant owed Plaintiff a duty to maintain the aforementioned premises in a reasonably safe condition for persons lawfully on said premises, including the Plaintiff herein.
10. Defendants Bed Bath & Beyond by and through its agents, servants, and/or employees, in disregarding said duty, acted with less than reasonable care and was guilty of one or more of the following carless and negligent acts and/or omissions:

- a. Improperly operated, managed, maintained and controlled its premises in failing to properly maintain the premises;
 - b. Failed to warn the Plaintiff and other persons lawfully on said premises of the dangerous condition when Defendants knew or should have known in the exercise of ordinary care that said warning was necessary to prevent injury to the Plaintiff.
 - c. Failed to make a reasonable inspection of its premises when it knew or in the exercise of ordinary care should have known that said inspection was necessary to prevent injury to the Plaintiff and others lawfully on said premises.
 - d. Allowed the aforementioned premises to remain in a dangerous condition for an unreasonable length of time.
 - e. Failed to inspect or maintain its property in a manner such as to avoid the creating of an unsafe condition.
 - f. Was otherwise careless and negligent in the operation of its premises.
11. Defendant knew or should have known that a hazardous condition existed at the time Plaintiff was injured.
12. As a proximate result of the negligence of Defendant Bed Bath & Beyond, Plaintiff Reiner Walker suffered injuries and damages including, but not limited to, the following:
- a. Bodily injury, including but not limited to: Trauma induced carpal tunnel syndrome; left shoulder, wrist and hand strain; numbness; anxiety; depression
 - b. Pain and suffering, both physical and emotional; the loss and limitation of the ability to perform basic functions, and the injuries will continue to cause pain and suffering in the future and disruption to her overall life
 - c. Reasonable and necessary medical expenses in an amount in excess of \$18,224.66, as well as further reasonable and necessary medical expenses which may be incurred in the future.
 - d. Lost wages.

13. The aforementioned acts were the direct and proximate cause of the injuries and damages sustained by Plaintiff.

WHEREFORE, Plaintiff hereby enters a demand in judgment against Defendant Bed Bath & Beyond, for an amount in excess of \$25,000.00 plus interest, attorney's fees, and the cost of this action.

COUNT II

14. Plaintiff re-incorporates all preceding paragraphs as though fully rewritten herein.
15. Defendant, as owner and employer of John and/or Jane Doe employee(s) is responsible for the actions of its employees.
16. Defendant Bed Bath & Beyond failed to properly train and supervise John and/or Jane Doe employee as stated under the doctrine of respondeat superior, which resulted in the injuries sustained by Plaintiff.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and/or severally, for an amount in excess of \$25,000.00 plus interest, attorney's fees and the cost of this action.

COUNT III

17. Plaintiff reincorporates all prior paragraphs as if fully rewritten herein.
18. Defendant knew, or should have known, failure to exercise due care in the hiring, training, and/or supervision of its employees in the maintenance of the store, would cause Plaintiff severe emotional distress.
19. Defendants negligently hired, and/or were negligent in their training and/or supervision practices.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and/or severally, in an amount in excess of \$25,000.00 plus interest, attorney's fees and the cost of this action.

COUNT IV

20. Plaintiff incorporates each and every allegation contained in the preceding paragraphs as though fully rewritten herein.
21. Defendant Ohio Department of Medicaid has paid or will pay medical expenses on behalf of Plaintiff injuries it claims are related to the subject matter of this Complaint.

22. Plaintiff denies that Defendant Ohio Department of Medicaid may be entitled to be reimbursed or may be subrogated to the rights of the Plaintiff for monies paid for medical expenses related to this subject lawsuit.

WHEREFORE, Plaintiff requests, as to Count Four against Defendant Ohio Department of Medicaid, the Court determine if and to what extent Defendant is entitled to recover medical benefits paid.

Respectfully submitted,

/s/ Robert L. Gresham
Michael L. Wright, #0067698
Robert L. Gresham, #0082151
Kesha Q. Brooks, #0095424
130 W. Second Street, Suite 1600
Dayton, Ohio 45402
(937) 222-7477
(937) 222-7911 FAX
mwright@yourohiolegalhelp.com
rgresham@yourohiolegalhelp.com
kbrooks@yourohiolegalhelp.com
Attorneys for Plaintiff, Reiner Walker

JURY DEMAND

Now comes Plaintiff, by and through counsel, and hereby demands a trial by jury on all issues of this matter.

/s/ Robert L. Gresham
Michael L. Wright, Esq.
Robert L. Gresham, Esq.
Kesha Q. Brooks, Esq.
Attorneys for Plaintiff, Reiner Walker

**MONTGOMERY COMMON PLEAS COURT / GENERAL DIVISION
CIVIL CASE INFORMATION**

This document has been automatically generated by the Electronic Filing System

PARTICIPANT NAME	TYPE	ATTORNEY FOR PARTY
RENIER WALKER	MAIN PLAINTIFF	GRESHAM
BED BATH BEYOND INC	MAIN DEFENDANT	

CATEGORY	VALUE
CASE TYPE	Civil
JURY DEMAND	Yes
PRAYER AMOUNT	75000
ACTION TYPE	PERSONAL INJURY
TYPE OF RESOLUTION	
PARCEL NUMBER (MORTGAGE FORECLOSURE ONLY)	

REFILING INFORMATION

CASE NUMBER	JUDGE	MAIN PLAINTIFF	MAIN DEFENDANT
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SUITS INVOLVING LIKE ISSUES AND SIMILAR PARTIES

CASE NUMBER	JUDGE	MAIN PLAINTIFF	MAIN DEFENDANT
--------------------	--------------	-----------------------	-----------------------

The Filer submitted this information and the document was generated.

Filer: Robert L. Gresham

MIKE FOLEY
MONTGOMERY COUNTY CLERK OF COURTS
41 N. PERRY STREET, DAYTON, OHIO 45422

INSTRUCTIONS FOR SERVICE

RENIER WALKER
PLAINTIFF/PETITIONER

BED BATH BEYOND INC
DEFENDANT/RESPONDENT

PLEASE ISSUE SERVICE TO: (Name and Address)

BED BATH BEYOND INC
CO CORPORATION SERVICE
50 WEST BROAD STREET
SUITE 1330
COLUMBUS, OH 43215

JOHNJANE DOE XYZ CORP
UNKNOWN ADDRESS
DAYTON, OH 45422

OHIO DEPT OF MEDICAID
CO JOSEPH M. MCCANDISH
150 E. GAY ST
21ST FLOOR
COLUMBUS, OH 43215

VIA: Service by Clerk

SERVICE PROVIDER:

TO BE SERVED (List all Documents to be Served)

Complaint FOR PERSONAL INJURIES; JURY DEMAND ENDORSED HEREON

Electronically Requested by: Robert L. Gresham

**IN THE COURT OF COMMON PLEAS, MONTGOMERY COUNTY OHIO
CIVIL DIVISION**

SUMMONS

PLAINTIFF

RENIER WALKER

VS

DEFENDANT

BED BATH BEYOND INC et al

CASE NUMBER

2020 CV 04983

ARTICLE NUMBER

782035055824

TO THE FOLLOWING NAMED DEFENDANT:

BED BATH BEYOND INC
CO CORPORATION SERVICE
50 WEST BROAD STREET
COLUMBUS OH 43215

You have been named a Defendant or Respondent in a complaint filed in Montgomery County Court of Common Pleas, Dayton, Ohio. **A copy of the Complaint is attached.**

BY:

RENIER WALKER
1677 BIG BEAR DRIVE
CENTERVILLE, OH 45458

PLAINTIFF ATTORNEY:

ROBERT L. GRESHAM
130 W SECOND ST
SUITE 1600
DAYTON, OH 45402

You are hereby summoned and required to serve upon the Plaintiff's attorney, or upon the Plaintiff, if the Plaintiff does not have an attorney, a copy of an **Answer to the Complaint** within **28 days after receipt of this summons, exclusive of the day you received the summons.** Your original **Answer** must be filed with the Clerk of Court's Office **within 3 days** after you serve the Plaintiff's attorney or Plaintiff.

If you fail to appear and defend, Judgment by Default may be rendered against you granting Plaintiff(s) the relief demanded in the Complaint.

NOTE:

If you are represented by an attorney, your attorney is required to electronically file your Answer through the Court's authorized electronic filing system. See Montgomery County Common Pleas Court Loc. R. 1.15, Electronic Filing of Court Documents, for requirements of electronic filing. Local rules can be accessed at www.montcourt.oh.gov. Service of the Answer will be made upon the Plaintiff's attorney through the Court's authorized electronic filing system. If the Plaintiff does not have an attorney, your attorney is required to serve a paper copy of your Answer to the Plaintiff.

If you are representing yourself (appearing pro se), you have the option to file your Answer in paper OR through the Court's authorized electronic filing system (See Loc. R. 1.15, Electronic Filing of Court Documents). Local rules can be accessed at www.montcourt.oh.gov. If you file your Answer in paper, you are required to serve a paper copy of your Answer to the Plaintiff's Attorney or the Plaintiff. If you file your Answer electronically, service of the Answer will be made upon the Plaintiff's attorney through the Court's authorized electronic filing system. If the Plaintiff does not have an attorney, you are required to serve a paper copy of your Answer to the Plaintiff.



/s/ MIKE FOLEY, ISSUED Tuesday, December 29, 2020

MIKE FOLEY, CLERK

COURT OF COMMON PLEAS

MONTGOMERY COUNTY, OHIO

PREPARED ELECTRONICALLY

**In The Court Of Common Pleas, Montgomery County Ohio
Civil Division**

RETURN OF SERVICE SUMMONS

PLAINTIFF

RENIER WALKER

VS

DEFENDANT

BED BATH BEYOND INC et al

CASE NUMBER

2020 CV 04983

ARTICLE NUMBER

782035055824

TO THE FOLLOWING NAMED PARTY:

BED BATH BEYOND INC
CO CORPORATION SERVICE
50 WEST BROAD STREET
COLUMBUS, OH 43215

RETURN OF SERVICE(PERSONAL)

FEES

SERVICE \$ _____

MILEAGE _____

TOTAL \$ _____

DATE _____

I received the document on _____, 2020, at ____ o'clock ____ M. and made personal service of it upon _____ by locating him/them and tendering a copy of the document and accompanying documents, on _____, 2020.

By _____

RETURN OF SERVICE(RESIDENCE)

FEES

SERVICE \$ _____

MILEAGE _____

TOTAL \$ _____

DATE _____

I received the document on _____, 2020, at ____ o'clock ____ M. and made residence service of it upon _____ by leaving, at his/their usual place of residence with _____ a person of suitable age and discretion then residing therein a copy of the complaint and accompanying documents, on _____, 2020.

By _____

RETURN OF SERVICE(FAILURE OF SERVICE)

FEES

SERVICE \$ _____

MILEAGE _____

TOTAL \$ _____

DATE _____

I received the document on _____, 2020, at ____ o'clock ____ M. with instructions to make personal/residence service upon _____ and I was unable to serve a copy documents upon him/them for the following reasons:

By _____

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**IN THE COURT OF COMMON PLEAS, MONTGOMERY COUNTY OHIO
CIVIL DIVISION**

SUMMONS

PLAINTIFF

RENIER WALKER

VS

DEFENDANT

BED BATH BEYOND INC et al

CASE NUMBER

2020 CV 04983

ARTICLE NUMBER

782035063086

TO THE FOLLOWING NAMED DEFENDANT:

JOHNJANE DOE XYZ CORP

UNKNOWN ADDRESS

DAYTON OH 45422

You have been named a Defendant or Respondent in a complaint filed in Montgomery County Court of Common Pleas, Dayton, Ohio. **A copy of the Complaint is attached.**

BY:

RENIER WALKER

1677 BIG BEAR DRIVE

CENTERVILLE, OH 45458

PLAINTIFF ATTORNEY:

ROBERT L. GRESHAM

130 W SECOND ST

SUITE 1600

DAYTON, OH 45402

You are hereby summoned and required to serve upon the Plaintiff's attorney, or upon the Plaintiff, if the Plaintiff does not have an attorney, a copy of an **Answer to the Complaint** within **28 days after receipt of this summons, exclusive of the day you received the summons.** Your original **Answer** must be filed with the Clerk of Court's Office **within 3 days** after you serve the Plaintiff's attorney or Plaintiff.

If you fail to appear and defend, Judgment by Default may be rendered against you granting Plaintiff(s) the relief demanded in the Complaint.

NOTE:

If you are represented by an attorney, your attorney is required to electronically file your Answer through the Court's authorized electronic filing system. See Montgomery County Common Pleas Court Loc. R. 1.15, Electronic Filing of Court Documents, for requirements of electronic filing. Local rules can be accessed at www.montcourt.oh.gov. Service of the Answer will be made upon the Plaintiff's attorney through the Court's authorized electronic filing system. If the Plaintiff does not have an attorney, your attorney is required to serve a paper copy of your Answer to the Plaintiff.

If you are representing yourself (appearing pro se), you have the option to file your Answer in paper OR through the Court's authorized electronic filing system (See Loc. R. 1.15, Electronic Filing of Court Documents). Local rules can be accessed at www.montcourt.oh.gov. If you file your Answer in paper, you are required to serve a paper copy of your Answer to the Plaintiff's Attorney or the Plaintiff. If you file your Answer electronically, service of the Answer will be made upon the Plaintiff's attorney through the Court's authorized electronic filing system. If the Plaintiff does not have an attorney, you are required to serve a paper copy of your Answer to the Plaintiff.



/s/ MIKE FOLEY, ISSUED Tuesday, December 29, 2020

**MIKE FOLEY, CLERK
COURT OF COMMON PLEAS
MONTGOMERY COUNTY, OHIO**

PREPARED ELECTRONICALLY

**In The Court Of Common Pleas, Montgomery County Ohio
Civil Division**

RETURN OF SERVICE SUMMONS

PLAINTIFF

RENIER WALKER

VS

DEFENDANT

BED BATH BEYOND INC et al

CASE NUMBER

2020 CV 04983

ARTICLE NUMBER

782035063086

TO THE FOLLOWING NAMED PARTY:

JOHNJANE DOE XYZ CORP

UNKNOWN ADDRESS

DAYTON, OH 45422

RETURN OF SERVICE(PERSONAL)

FEES

SERVICE \$ _____

MILEAGE _____

TOTAL \$ _____

DATE _____

I received the document on _____, 2020, at ____ o'clock ____ M. and made personal service of it upon _____ by locating him/them and tendering a copy of the document and accompanying documents, on _____, 2020.

By _____

RETURN OF SERVICE(RESIDENCE)

FEES

SERVICE \$ _____

MILEAGE _____

TOTAL \$ _____

DATE _____

I received the document on _____, 2020, at ____ o'clock ____ M. and made residence service of it upon _____ by leaving, at his/their usual place of residence with _____ a person of suitable age and discretion then residing therein a copy of the complaint and accompanying documents, on _____, 2020.

By _____

RETURN OF SERVICE(FAILURE OF SERVICE)

FEES

SERVICE \$ _____

MILEAGE _____

TOTAL \$ _____

DATE _____

I received the document on _____, 2020, at ____ o'clock ____ M. with instructions to make personal/residence service upon _____ and I was unable to serve a copy documents upon him/them for the following reasons:

By _____

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**IN THE COURT OF COMMON PLEAS, MONTGOMERY COUNTY OHIO
CIVIL DIVISION**

SUMMONS

PLAINTIFF

RENIER WALKER

VS

DEFENDANT

BED BATH BEYOND INC et al

CASE NUMBER

2020 CV 04983

ARTICLE NUMBER

782035073341

TO THE FOLLOWING NAMED DEFENDANT:

OHIO DEPT OF MEDICAID
CO JOSEPH M. MCCANDISH
150 E. GAY ST
COLUMBUS OH 43215

You have been named a Defendant or Respondent in a complaint filed in Montgomery County Court of Common Pleas, Dayton, Ohio. **A copy of the Complaint is attached.**

BY:

RENIER WALKER
1677 BIG BEAR DRIVE
CENTERVILLE, OH 45458

PLAINTIFF ATTORNEY:

ROBERT L. GRESHAM
130 W SECOND ST
SUITE 1600
DAYTON, OH 45402

You are hereby summoned and required to serve upon the Plaintiff's attorney, or upon the Plaintiff, if the Plaintiff does not have an attorney, a copy of an **Answer to the Complaint** within **28 days after receipt of this summons, exclusive of the day you received the summons.** Your original **Answer** must be filed with the Clerk of Court's Office **within 3 days** after you serve the Plaintiff's attorney or Plaintiff.

If you fail to appear and defend, Judgment by Default may be rendered against you granting Plaintiff(s) the relief demanded in the Complaint.

NOTE:

If you are represented by an attorney, your attorney is required to electronically file your Answer through the Court's authorized electronic filing system. See Montgomery County Common Pleas Court Loc. R. 1.15, Electronic Filing of Court Documents, for requirements of electronic filing. Local rules can be accessed at www.montcourt.oh.gov. Service of the Answer will be made upon the Plaintiff's attorney through the Court's authorized electronic filing system. If the Plaintiff does not have an attorney, your attorney is required to serve a paper copy of your Answer to the Plaintiff.

If you are representing yourself (appearing pro se), you have the option to file your Answer in paper OR through the Court's authorized electronic filing system (See Loc. R. 1.15, Electronic Filing of Court Documents). Local rules can be accessed at www.montcourt.oh.gov. If you file your Answer in paper, you are required to serve a paper copy of your Answer to the Plaintiff's Attorney or the Plaintiff. If you file your Answer electronically, service of the Answer will be made upon the Plaintiff's attorney through the Court's authorized electronic filing system. If the Plaintiff does not have an attorney, you are required to serve a paper copy of your Answer to the Plaintiff.



/s/ MIKE FOLEY, ISSUED Tuesday, December 29, 2020

MIKE FOLEY, CLERK

COURT OF COMMON PLEAS

MONTGOMERY COUNTY, OHIO

PREPARED ELECTRONICALLY

**In The Court Of Common Pleas, Montgomery County Ohio
Civil Division**

RETURN OF SERVICE SUMMONS

PLAINTIFF

RENIER WALKER

VS

DEFENDANT

BED BATH BEYOND INC et al

CASE NUMBER

2020 CV 04983

ARTICLE NUMBER

782035073341

TO THE FOLLOWING NAMED PARTY:

OHIO DEPT OF MEDICAID
CO JOSEPH M. MCCANDISH
150 E. GAY ST
COLUMBUS, OH 43215

RETURN OF SERVICE(PERSONAL)

FEES

SERVICE \$ _____
MILEAGE _____
TOTAL \$ _____
DATE _____

I received the document on _____, 2020, at ____ o'clock ____ M. and made personal service of it upon _____ by locating him/them and tendering a copy of the document and accompanying documents, on _____, 2020.
By _____

RETURN OF SERVICE(RESIDENCE)

FEES

SERVICE \$ _____
MILEAGE _____
TOTAL \$ _____
DATE _____

I received the document on _____, 2020, at ____ o'clock ____ M. and made residence service of it upon _____ by leaving, at his/their usual place of residence with _____ a person of suitable age and discretion then residing therein a copy of the complaint and accompanying documents, on _____, 2020.
By _____

RETURN OF SERVICE(FAILURE OF SERVICE)

FEES

SERVICE \$ _____
MILEAGE _____
TOTAL \$ _____
DATE _____

I received the document on _____, 2020, at ____ o'clock ____ M. with instructions to make personal/residence service upon _____ and I was unable to serve a copy documents upon him/them for the following reasons:

By _____

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IN THE COURT OF COMMON PLEAS
MONTGOMERY COUNTY, OHIO

REINER WALKER

Plaintiff,

vs.

BED BATH & BEYOND INC., ET AL.

Defendants.

CASE NO. 2020 CV 04983

JUDGE GREGORY F. SINGER

**NOTICE OF APPEARANCE
OF COUNSEL**

The Court and parties hereto will take notice that Christopher E. Cotter, Esq. and Phillip M. Sarnowski, Esq. of Roetzel & Andress, LPA, hereby enter their appearance as counsel of record for Defendant Bed Bath & Beyond Inc. in the above-captioned matter.

It is respectfully requested that service of all further pleadings, notices, filings, papers, etc. be made upon the undersigned as counsel of record for said Defendant.

Respectfully submitted,

/s/ Christopher E. Cotter

Christopher E. Cotter (84021)

ccotter@ralaw.com

Roetzel & Andress, LPA

222 South Main Street

Akron, OH 44308

Main: 330.376.2700

Direct: 330.849.6756

Facsimile: 330.376.4577

Phillip M. Sarnowski (96788)

psarnowski@ralaw.com

Roetzel & Andress, LPA

41 South High Street

Huntington Center, 21st Floor

Columbus, OH 43215

Main: 614.463.9770

Facsimile: 614.463.9792

ATTORNEYS FOR DEFENDANT
BED BATH & BEYOND INC.

PROOF OF SERVICE

I hereby certify that on this 12th day of January, 2021, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. Further, the undersigned hereby certifies that the foregoing was served via email pursuant to Civ.R. 5(B)(2)(f) to the following:

Michael L. Wright
Robert L. Gresham
Kesha Q. Brooks
130 W. Second Street, Suite 1600
Dayton, Ohio 45402
Phone: 937.222.7477
Fax: 937.222.7911
mwright@yourohiolegalhelp.com
rgresham@yourohiolegalhelp.com
kbrooks@yourohiolegalhelp.com

Ohio Department of Medicaid
c/o Joseph McCandlish, Esq.
150 E. Gay Street, 21st Floor
Columbus, Ohio 43215
Defendant

ATTORNEYS FOR PLAINTIFF
REINER WALKER

/s/ Christopher E. Cotter
One of the Attorneys for Defendant

16141283 _1 PERSON.497

**In The Court Of Common Pleas, Montgomery County Ohio
Civil Division**

**FAILURE OF SERVICE NOTIFICATION
CASE NUMBER: 2020 CV 04983**

ROBERT GRESHAM L.
130 W SECOND ST
SUITE 1600

DAYTON OH 45402

TRACKING NO: 782035063086
DATE: 1/14/2021

RENIER WALKER vs BED BATH BEYOND INC

YOU ARE HERBY NOTIFIED THAT SERVICE WAS NOT PERFECTED ON:

REASON FOR SERVICE: CIVIL INITIAL SERVICE EFILING
RECIPIENT: JOHNJANE DOE XYZ CORP
UNKNOWN ADDRESS

DAYTON OH 45422

REASON FOR FAILURE: FEDEX UNSUCCESSFUL SERVICE
COMMENT: 01/05/2021 7:26 am: Incorrect address - Street name/number

Mike Foley,
Montgomery County Clerk Of Courts

ROBERT GRESHAM L.
130 W SECOND ST
SUITE 1600
DAYTON OH 45402

IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO

RENIER WALKER, et. al.,

CASE NO. 2020 CV 04983

Plaintiff(s),

JUDGE GREGORY F. SINGER

-vs-

**NOTICE
(Service)**

BED BATH BEYOND, INC., et. al.,

Defendant(s).

A review of the file in this action reveals that the Defendant(s), JohnJane Doe XYZ Corp., has not been served.

Please check the tracking number to verify if service has been made. If so, file a notice with the Court including documentation of proof of service.

Pursuant to Civ.R. 4.6(C), service via regular mail is not permissible until a return of service marked “refused” has been received. Pursuant to Civ.R. 4.6(D), service via regular mail is not permissible unless service is attempted via United States Postal Service certified or express mail and a return of service marked “unclaimed” has been received. Regular mail service cannot be issued pursuant to Civ.R. 4.6(D) where service was attempted by commercial carrier (i.e., FedEx, UPS) and the return of service is marked “unclaimed.” See Staff Notes to Civ.R. 4.6.

If service has not been made as evidenced in the tracking number, please investigate the possibility of utilizing alternative methods to obtain service. **ABSENT PRIOR COURT APPROVAL, DO NOT RE-ISSUE SERVICE TO ADDRESSES ALREADY DEEMED UNDELIVERABLE.**

Failure to file a response to this notice within fourteen days may result in administrative dismissal of this action.

SO ORDERED:

JUDGE GREGORY F. SINGER

This document is electronically filed by using the Clerk of Courts e-Filing system. The system will post a record of the filing to the e-Filing account "Notifications" tab of the following case participants:

ROBERT L. GRESHAM
(937) 222-7477
Attorney for Plaintiff, Renier Walker

MICHAEL L WRIGHT
(937) 222-7477
Attorney for Plaintiff, Renier Walker

LOUKESHA Q BROOKS
(937) 222-7477
Attorney for Plaintiff, Renier Walker

CHRISTOPHER E COTTER
(513) 381-0656
Attorney for Defendant, Bed Bath Beyond Inc

PHILLIP MICHAEL SARNOWSKIL
(614) 901-2723
Attorney for Defendant, Bed Bath Beyond Inc

Copies of this document were sent to all parties listed below by ordinary mail:

REINER WALKER

Plaintiff

JOHNJANE DOE XYZ CORP
UNKNOWN ADDRESS
DAYTON, OH 45422
Defendant

OHIO DEPT OF MEDICAID
CO JOSEPH M. MCCANDISH
150 E. GAY ST
21ST FLOOR
COLUMBUS, OH 43215
Defendant

HEIDI ADAMS, BAILIFF (937) 225-4376



General Division
Montgomery County Common Pleas Court
41 N. Perry Street, Dayton, Ohio 45422

Case Number:
2020 CV 04983

Case Title:
RENIER WALKER vs BED BATH BEYOND INC

Type:

Notice: Issue Service Within 14 days

So Ordered,

**IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO
CIVIL DIVISION**

RENIER WALKER : Case No.: 2020 CV 04983
Plaintiff, : JUDGE SINGER
vs. :
BED BATH & BEYOND, INC., et al., : **PLAINTIFF'S RESPONSE TO THE**
 : **COURT'S NOTICE**
Defendants :

Now comes Plaintiff by and through counsel to respond to the Court's notice to perfect service.

The Court's January 19, 2021 Notice references XYZ Corp., which is essentially a John Doe Defendant. No service is necessary on XYZ Corp. and Plaintiff requests that this Honorable Court recognize same.

Respectfully submitted,

/s/ Robert L. Gresham
Michael L. Wright, #0067698
Robert L. Gresham, #0082151
Kesha Q. Brooks, #0095424
130 W. Second Street, Suite 1600
Dayton, Ohio 45402
(937) 222-7477
(937) 222-7911 FAX
mwright@yourohiolegalhelp.com
rgresham@yourohiolegalhelp.com
kbrooks@yourohiolegalhelp.com
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was sent via the Court's Electronic Filing System to all counsel of record.

/s/ Robert L. Gresham

Michael L. Wright, #0067698

Robert L. Gresham, #0082151

Kesha Q. Brooks, #0095424

: Case No: 2020 CV 04983

Plaintiffs,

VS.

[illegible]

**ANSWER OF DEFENDANT STATE
OF OHIO, DEPARTMENT OF
MEDICAID FKA JOB AND FAMILY
SERVICES AND CROSS-
CLAIM AGAINST DEFENDANTS**

Bed Bath & Beyond Inc, et al.

Defendant.

**ANSWER OF DEFENDANT, STATE OF OHIO,
DEPARTMENT OF MEDICAID FKA JOB AND FAMILY SERVICES**

Now comes Dave Yost, Attorney General for the State of Ohio, by and through Joseph M. McCandlish, Assistant Attorney General, and states the following:

1. This answering Defendant is without knowledge or information sufficient to form a belief as to the allegations contained in the Complaint, except State of Ohio admits it has paid on the behalf of Plaintiff, Reiner Walker, a Medicaid recipient, in the amount of \$671.09 for medical services and care as a result of the accident alleged in Plaintiff's Complaint, and could possibly make further expenditures during the pendency of this action.
2. The State of Ohio, Department of Medicaid fka Job and Family Services has a right of recovery for the cost of medical services and care provided to Plaintiff, Reiner Walker, pursuant to Section 5160.37 of the Ohio Revised Code.

WHEREFORE, this Defendant having fully answered, prays that its rights be protected.

**CROSS-CLAIM OF DEFENDANT, STATE OF OHIO
DEPARTMENT OF MEDICAID FKA JOB AND FAMILY SERVICES**

3. The State of Ohio hereby incorporates Paragraphs 1 and 2 of its Answer herein.
4. By virtue of Section 5160.37 of the Ohio Revised Code, the State of Ohio is entitled to recover the amount expended for said medical services and care from the Defendants.

WHEREFORE, the State of Ohio demands judgment on its Cross-Claim against Defendants, in the amount listed herein, plus any additional amounts expended for medical services and care during the pendency of this action.

Respectfully submitted,

Dave Yost (0056290)
Attorney General of Ohio

/s/ Joseph M. McCandlish

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Department of Medicaid

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of January, 2021, the foregoing Answer, and Cross-Claim was mailed by regular U.S. Mail and/or electronic filing to:

Robert L. Gresham
130 W. Second Street, Suite 1600
Dayton, OH 45402

(937) 222-7477

Attorney for Plaintiff

Bed Bath Beyond Inc
c/o Corporation Service Company
50 West Broad Street, Suite 1330
Columbus, OH 43215

Defendant

/s/ Joseph M. McCandlish

Joseph M. McCandlish (0073775)
Assistant Attorney General